

Applic. No. 10/718,778

Amdt. dated March 8, 2005

Reply to Office action of November 9, 2004

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-18 remain in the application. Claims 3 and 6 have been withdrawn from consideration.

In the second paragraph on page 3 of the above-identified Office action, the Examiner requires affirmation of the provisional election with traverse by Mr. Stemer, to prosecute the invention of the species of Figs. 1-3H, claims 1, 2, 4, 5, and 7-18, be made by applicant in response to the Office action. Applicants herewith affirm the provisional election with traverse made by Mr. Stemer, to prosecute the invention of the species of Figs. 1-3H, claims 1, 2, 4, 5, and 7-18.

In the third paragraph on page 3 of the above-identified Office action, claims 9 and 16 have been objected to because of the following informalities.

More specifically, the Examiner has stated that in claim 9 it is not clear what is meant by "clockwise-locking lock" and a "counterclockwise locking lock". The Examiner is directed to page 23, lines 16-19 of the specification, where it is disclosed that the activation switch allows for changing

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between a lock which closes in the left-hand direction and a lock which closes in the right-hand direction. The language of claim 9 pertains to changing between a lock that is locked by a clockwise rotation and a lock that is locked by a counterclockwise rotation. Accordingly, claim 9 is believed to be clear. Therefore, claim 9 has not been amended to overcome the rejection by the Examiner.

It is noted that the Examiner did not list any informalities with regard to claim 16. Therefore, claim 16 has not been amended to overcome the objection by the Examiner.

Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved.

In the penultimate paragraph on page 3 of the Office action, claims 1, 2, 4, 5, 7-11, and 13-18 have been rejected as being fully anticipated by Hoener (DE 32 07 998 A1) under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

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Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

a rotation direction sensor disposed in the housing and having a hollow body substantially completely filled with a first electrically conductive fluid and with a second electrically non-conductive fluid repelling the first fluid.

The Hoener reference discloses a key having a contactor (K3), which extends only in one direction, which is in the plane of the key or vertical to the longitudinal axis of the keyhole. The contactor (K3) has two electrical contacts (11 and 12) and a solid or liquid mass. The solid or liquid mass is moved upward or downward when the key is rotated in the lock, which in turn alternately opens and closes contacts (11 and 12).

The reference does not show a rotation direction sensor disposed in the housing and having a hollow body substantially completely filled with a first electrically conductive fluid and with a second electrically non-conductive fluid repelling the first fluid, as recited in claim 1 of the instant application.

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The Hoener reference discloses a contactor that only allows for a longitudinal up and down movement of the liquid/solid mass in the plane of the key head. Hoener does not disclose a rotation direction sensor as explicitly recited in claim 1 of the instant application.

Hoener discloses that a fluid may be used in the contactor (K3). Hoener does not disclose what kind of fluid or that there are two fluids having different densities. This is contrary to the invention of the instant application as claimed, in which a hollow body is substantially completely filled with a first electrically conductive fluid and with a second electrically non-conductive fluid that repels the first fluid.

Claim 1 calls for, *inter alia*:

electrically conductive contacts for production of electrical contact sequences in dependence on a position of the first fluid and the second fluid in the hollow body representing a closing direction.

The Hoener reference discloses a contactor having two contacts. Hoener does not disclose generating a contact

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sequence for determining the closing direction, because it is not possible to generate information about a closing direction with only two contacts. This is contrary to the invention of the instant application as claimed, which recites electrically conductive contacts for production of electrical contact sequences in dependence on a position of the first fluid and the second fluid in the hollow body representing a closing direction.

In the third paragraph on page 4 of the Office action, claim 12 has been rejected as being obvious over Hoener (DE 32 07 998 A1) in view of Sonderegger et al. (U.S. Patent No. 6,255,957 B1) (hereinafter "Sonderegger") under 35 U.S.C. § 103. Sonderegger does not make up for the deficiencies of Hoener. Since claim 1 is believed to be allowable, dependent claim 12 is believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

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In view of the foregoing, reconsideration and allowance of claims 1-18 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition

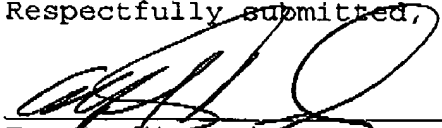
for extension is herewith made.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$60 in accordance with Section 1.17 is enclosed herewith.

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Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,


For Applicant(s)

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March 8, 2005

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